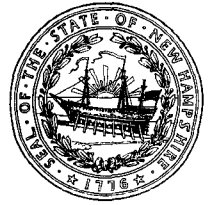




The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

Mrs. Phyllis Grammati  
Ocean Motel  
580 Winnicunnet Rd  
Hampton, New Hampshire 03842

LETTER OF DEFICIENCY  
WMB PBP 06-013  
July 19, 2006

Dear Mrs. Grammati:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Wq 1100 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On July 10, 2006, DES inspected the pool at the Ocean Motel in Hampton, NH ("the Pool").

During this inspection, the following deficiencies were noted:

1. A recommendation to close the Pool was issued on July 10, 2006. The inspection on July 10, 2006, revealed that the Pool was in violation of Env-Wq 1105.10 and unsafe for public use. The following violations were observed in the Pool water:
2. Env-Wq 1105.10(b)(6a) requires a free residual chlorine concentration between 1.0 mg/L and 5.0 mg/L in public pool water. The free chlorine residual of the Pool water was 0.80 mg/L on July 10, 2006.
3. Env-Wq 1105.10(b)(11) requires that Total Alkalinity shall be 60-180 mg/L in a public Pool. The Total Alkalinity of the Pool water was approximately 0 mg/L on July 10, 2006.
4. Env-Wq 1105.10(b)(1) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 4.0 on July 10, 2006.
5. Env-Wq 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Outdoor Pool water.
6. Env-Wq 1105.15(a) states that the owner of a public bathing facility shall plainly and conspicuously mark the depth of water in feet at or above the waterline on the vertical wall of the public bathing facility and on the top of the coping or edge of the deck or walk next to the public bathing facility. The depth of the Pool was not marked on the vertical pool wall of the Pool.
7. Pursuant to Env-Wq 1105.07, all outdoor swimming pools shall have a wall, fence or other enclosure constructed around the entire pool or recreational area, which shall include self-closing and self-latching gates and shall be a minimum of 4 feet high measured on the inside and outside. The enclosure surrounding the Pool does not include self-closing and latching gate.
8. Env-Wq 1106.04(a)(2) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a working flow meter.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. A timetable of when:
  - a. the depth will be marked;
  - b. the sign indicating the location of the nearest telephone will be in place;
  - c. the installation of the chlorine feeder will be completed;
  - d. the installation or repair of the flow meter will be completed; and

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Wq 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Wq 1101-1110 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.nh.gov/Pools/>

Sincerely,  
  
Jody Connor  
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7286

cc: Gretchen R. Hamel, Legal Unit Administrator, DES  
Kevin Schultz, Health Officer, Town of Hampton